

Jennifer Lynch (SBN 240701)  
*jlynch@eff.org*  
ELECTRONIC FRONTIER FOUNDATION  
454 Shotwell Street  
San Francisco, CA 94110  
Telephone: (415) 436-9333  
Facsimile: (415) 436-9993

Jason M. Schultz (SBN 212600)  
*jschultz@law.berkeley.edu*  
Lila Bailey (SBN 238918)  
*lbailey@law.berkeley.edu*  
SAMUELSON LAW, TECHNOLOGY  
& PUBLIC POLICY CLINIC  
UC Berkeley School of Law  
396 Simon Hall  
Berkeley, CA 94720-7200  
Telephone: (510) 642-0499  
Facsimile: (510) 643-4625

Attorneys for Plaintiff  
Electronic Frontier Foundation

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

ELECTRONIC FRONTIER FOUNDATION,	)	Case No. 3:09-CV-05640-SI
	)	
Plaintiff,	)	
	)	
v.	)	<b>STIPULATION OF DISMISSAL</b>
	)	<b>OF DEFENDANT DRUG</b>
DEPARTMENT OF DEFENSE, ET AL.,	)	<b>ENFORCEMENT ADMINISTRATION</b>
	)	
Defendants.	)	Hon. Susan Illston
	)	Courtroom 10, 19 <sup>th</sup> Floor
	)	
	)	
	)	

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), plaintiff Electronic Frontier Foundation and Defendants Department of Homeland Security and its components and Department of Justice and its components stipulate that all remaining claims in the above-captioned case are dismissed with

1 prejudice in their entirety only as to Defendant Drug Enforcement Administration, with each party  
2 to bear its own costs and fees.  
3

4  
5 DATED: September 15, 2011

6 Respectfully submitted,

7 /s/ Jennifer Lynch

8 ELECTRONIC FRONTIER FOUNDATION

9 Jennifer Lynch, Esq.

10 454 Shotwell Street

11 San Francisco, CA 94110

Telephone: (415) 436-9333

Facsimile: (415) 436-9993

E-mail: jlynch@eff.org

TONY WEST

Assistant Attorney General

JOSEPH P. RUSSONIELLO

United States Attorney

JOHN TYLER

Assistant Branch Director

12 Jason M. Schultz

13 Lila Bailey

SAMUELSON LAW, TECHNOLOGY &

14 PUBLIC POLICY CLINIC

UC Berkeley School of Law

15 396 Simon Hall

Berkeley, CA 94720-7200

16 Telephone: (510) 642-0499

Facsimile: (510) 643-4625

17 E-mail: jschultz@law.berkeley.edu

/s/ Kimberly Herb

Kimberly L. Herb

Trial Attorney

United States Department of Justice

Civil Division, Federal Programs Branch

20 Massachusetts Ave. NW

Washington, DC 20530

Telephone: (202) 305-8356

Facsimile: (202) 616-8470

E-mail: Kimberly.L.Herb@usdoj.gov

18 *Attorneys for Plaintiff*

*Attorneys for Defendants*

19  
20 **GENERAL ORDER NO. 45(X) CERTIFICATION**

21 I attest that I have obtained Kimberly Herb's concurrence in the filing of this document.

22 /s/Jennifer Lynch

23 Jennifer Lynch

24 \* \* \*

25 PURSUANT TO STIPULATION, IT IS SO ORDERED.



26 Dated: 9/19/11

27 Hon. Susan Ilston

28 United States District Judge